

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CATHY D. BROOKS-MCCOLLUM, et al.)
Plaintiff,) Civil Action No. 04-419 JJF
v.)
STATE FARM INSURANCE COMPANY,)
Defendant.)

MOTION TO QUASH SUBPOENA

1. The plaintiff has issued a subpoena to State Farm to have it produce for purposes of copying a transcript of the deposition of the plaintiff taken by defense counsel. (Exhibit A)
2. The plaintiff decided not to order a transcript of the deposition. The copy of the deposition in the possession of the defendant was paid for by the defendant.
3. The defendant has previously advised the plaintiff of the name and address of the court reporter where she can obtain a copy of the transcript.
4. FRCP, Rule 30(f)(2) states that upon payment of reasonable charges the court reporter who took the deposition shall furnish a copy of the transcript to any party or to the deponent. The plaintiff is attempting to circumvent the Rule by not paying the court reporter the reasonable charge of obtaining the transcript.
5. The defendant's copy of the transcript is part of its work product and is privileged communication. The defendant requests the court to quash the subpoena. If plaintiff wishes to obtain a copy of the transcript she can purchase it from the court reporter, Hawkins Reporting.

CASARINO, CHRISTMAN & SHALK, P.A

/s/ Stephen P. Casarino
STEPHEN P. CASARINO, ESQUIRE
BAR I.D. NO. 174
800 North King Street, Suite 200
Wilmington, DE 19801
Attorney for Defendant

CERTIFICATE OF SERVICE

I, Stephen P. Casarino, Esq., hereby certify that I have caused to be deposited in the mailbox at 800 North King Street, Suite 200, Wilmington, DE 19801, on this 11th day of October 2007, a true and correct copy of the attached Defendant's Motion to Quash to:

Cathy D. Brooks-McCollum
115 Emerald Ridge Drive
Bear, DE 19701

CASARINO, CHRISTMAN & SHALK, P.A.

/s/ Stephen P. Casarino
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